

INTERNET COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
 United States Patent and Trademark
 Office
 Box PCT
 Washington, D.C. 20231
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 12 October 2000 (12.10.00)	
International application No. PCT/US00/04140	Applicant's or agent's file reference 5412/2E887WO
International filing date (day/month/year) 16 February 2000 (16.02.00)	Priority date (day/month/year) 18 February 1999 (18.02.99)
Applicant MORIMOTO, Bruce, H. et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

18 September 2000 (18.09.00)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Olivia TEFY

Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

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NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

FRANKFORT, Howard, M.
Darby & Darby P.C.
805 Third Avenue
New York, NY 10022-7513
ETATS-UNIS D'AMERIQUEDate of mailing (day/month/year)
01 October 2001 (01.10.01)Applicant's or agent's file reference
5412/2E887WOInternational application No.
PCT/US00/04140

IMPORTANT NOTIFICATION

International filing date (day/month/year)
16 February 2000 (16.02.00)

1. The following indications appeared on record concerning:

☒ the applicant ☐ the inventor ☐ the agent ☐ the common representative

Name and Address

AMUR PHARMACEUTICALS, INC.
227 Lyndhurst Avenue
Belmont, CA 94002
United States of America

State of Nationality

US

State of Residence

US

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person ☒ the name ☒ the address ☐ the nationality ☐ the residence

Name and Address

SUPERGEN, INC
4140 Dublin Boulevard
Suite 200
Dublin, CA 94568
United States of America

State of Nationality

US

State of Residence

US

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office ☐ the designated Offices concerned
☐ the International Searching Authority ☒ the elected Offices concerned
☐ the International Preliminary Examining Authority ☐ other:The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Ki-Nam HA

Telephone No.: (41-22) 338.83.38

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 5412/2E887WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/04140	International filing date (day/month/year) 16 February 2000 (16.02.2000)	Priority date (day/month/year) 18 February 1999 (18.02.1999)
International Patent Classification (IPC) or national classification and IPC IPC(7): A61K 9/127, 31/665, 31/675, 31/685; C07D 259/00, 487/22; C07F 9/02 and US Cl.: 424/450; 514/77, 79, 80, 81, 82, 85, 86, 92, 99, 100; 540/456, 460, 478; 544/243, 337; 546/23; 548/113, 119; 549/220, 221, 222; 552/506, 507; 558/170, 171, 174		
Applicant AMUR PHARMACEUTICALS, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:
 - ☒ Basis of the report
 - ☐ Priority
 - ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability
 - ☐ Lack of unity of invention
 - ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Certain documents cited
 - ☐ Certain defects in the international application
 - ☐ Certain observations on the international application

Date of submission of the demand 18 September 2000	Date of completion of this report 12 October 2000 (12.10.2000)
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer <i>Mukund Shah</i> Mukund Shah Telephone No. 703-308-1235

Form PCT/IPEA/409 (cover sheet)(July 1998)

I. Basis of the report**1. With regard to the elements of the international application:***

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-18 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 19-25, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the drawings:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. STATEMENT**

Novelty (N)	Claims <u>1-21</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-21</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-21</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS (Rule 70.7)

Claims 1-21 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the compounds, compositions or method of use of the compounds of formula I as claimed herein.

Claims 1-21 meet the criteria set out in PCT Article 33(4) for industrial applicability.

_____ NEW CITATIONS _____